G. R. S. IX-5]

Previous references.

1915-16
(Police)

File No. 77-15

Serial Nos. 149

Later references.
Pol Dep 68-33

GENERAL AND REVENUE SECRETARIAT.

may be retained

15/2/24

Serial Nos. 149

Part B for June 1917

SUBJECT.

Appeal of the Sivachars of Bookankere in the Krishnarajpet Tk. against the order of the Mysore Dist. magistrate regarding the worship of Gowri.

9) To the District Magistrate Mysore District

J 4837 dy 22. 6. 917

Directs that the earlier practice referred to be enforced in future.

W D 88—GPB—50,000—24-7-18

Dwr Rabwa Ullen
20/7/1917

G. R. S. 11] 1915-16 1081

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 77-15

FILE HEADING.

Appeal of the Sivachars of Bodhanam in the Krishnarajpet Tk. against the order of the Deputy Commr. Mysore re the worship of Ganesa.

From

Veerasetti & other Sivachars of Bodhanam.

No. Pol Dated 6.10.15 Received 11.10.15

Diary No. J1081	Enclos. 3	Spare Copies. . .	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeals against the D.C. Mysore's order in the above matter.

NOTES AND ORDERS.

Subd. for orders with a draft calling for a report with the records.

18.
21.10.15.

2) Dsme

Sus

NOTES—First Sheet.

GPB—20,006—8-8-14

G. R. S. 12]

General and Revenue Secretariat. | Port File No. 77 of 1915-16.

Serial No.

2 To the D.M. Jaffna vide
No J 1577 30-11-1915
forwards the above petition for report with
the connected records.

3 From the A.G. Jaffna, in A.C. No. 404 J/13.12.15
Submits a report & forwards
the records

3) The facts of the case are briefly as under:-

On the day of the Car festival the Brahmin Purohit consecrates Car near the tank at Batticotta. The brahmin castes worship the deity near the tank. The Kiriyapatti & the Aranatti Vokkalu Settlers each claim for their women, the right of worshipping the deity near the tank immediately after the brahmin castes. The Amildar made enquiry into the matter & came to the conclusion that the Aranatti Vokkalu women should have priority and subm. the records to the D.M. who concurring in the views of the Amildar made an order in favour of that community.

4) The Kiriyapatti have now appealed

NOTE.—Contn. sheet.

GPB—20,000—30-6-15

1681

3

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 77 of 1915-16.

Serial No.

against this order of the D-Ge.

Lett III

5) Subd - for orders.

8/11-2-16 RM

6) The decision rests entirely upon the appreciation of oral evidence adduced in the case. The same plea arguments plea Amildar magistrate as to the religious tenets of the parties seem irrelevant. As the present appeal has been filed by Counsel, it seems necessary that the Advocate. If a date is kindly given, notice will be issued to the opponents the appellants, & so that they may be heard on that date.

Es 14/2

Asst (Member)

7) Under what law has the Dist Magte passed this order? There is no mention of a breach of the Peace. Is this a case of ~~having~~ any income enjoyed for Ghanis work Ship?

28/2/16

29/2/16

Pol 29/2

NOTE—Contn. sheet.

1681

4

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 77 of 191 5-16

Serial No.

Sl. no 3.
71 J

8) Subd. Attention is respectfully invited to para 3 of the D.M.'s letter as also to the paper (petition of Pattammattu dt 21.8.14) marked 71 J in the records. It will be seen therefrom that there was an apprehension of the breach of the peace. It therefore appears that the D.M's order was passed under the Police Regulation.

9) As to the last query of the 1st Number this may be sent to the Inspl Branch to note the required information.

BS. 15-3-16

7.3.16

16/3/16

(Bms 2nd Vll)

19 10) The Verified Statement received from the Krishnarajpet Taluk shows that the following land has been endowed for Gouri Puje in the Bukkinakere village.

S. No 72 Extent 5'A 32G. Assessment 5'. 8—0.
" Quit-rent- 0.4—0.

and that it is reported that Worship is being regularly conducted every year.

Subo. 17/3/16.

11) Submitted to Undersecy

17.3.16

17.3.16

NOTE—Contn. sheet.

1021

5

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 77 of 1915-16

Serial No.

12) Subd.
With reference to the queries [illegible]
BS.
18.3.16
YGL
Eg

First Member)

13) The case may be posted for hearing some time next month -
21/3/16
23/3

14) Bring them on 4.4.16
Eg
23/3/16

PF 27

Pet Dy. 18.3.16 from Veera Setti & Others

A reminder.

~~Pet Dy 3.7.16 from Veera Setti & Others~~ Same as above.

15) Subd. with two drafts as per personal instructions of the Asst. Secy.
BS.
28.7.16.
YGL.

16) Done.
Eg
28/7

4 To Veerasetti & other Sivachars of Bothankere Asst Mr. A. Ramanu
no. J 3698/29.7.16
Informs that the case will be heard at 3 p.m. on 7.8.16.

5 To Surasetti & Aravatti Vakkalu Settis of Bothankere.
no. J 370 Dy 29.7.16.
Same as above.

NOTE—Contn. sheet

GPD—70,000—17-12-15

C 2554

i 6

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 77 of 1915-16

Serial No.

17) Subd. The case is to be heard on Monday next. May this be subd. to the 2nd. Member?
B4.
31/7/16.
RH.

EB
31/7

Second Member)

670
31.7.16

18) Parties heard by their Advocates on 1st Aug 1916. Order reserved
E

Order.

19) The dispute relates to the order in which the worship of Gowri should be performed on the day of the Gowri feast - at the tank in Buttiathur Village. The finding of the District Magistrate on the evidence in the case is that - "near the tank the Brahmans were worshipping first, then the Aravattu Vokkal Chettis, and then the Lingayats." There is no doubt that this is a correct finding on the facts ~~§~~ However Seeing that the practice relied on by the Aravattu Vokkal Chettis originated only ~~some~~ thirty years ago, it cannot be said that it is sufficient to constitute an im-

NOTE—Contn. sheet

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 77 of 1915-16

Serial No.

memorial custom in favour of which can ~~prevail~~ give them an indefeasible right to precedence as a community over the Lingayats. But as long as people cannot agree to perform peaceably acts which they would otherwise be entitled to perform simultaneously some arrangement must be made to prevent a conflict; and in this ground the order of the District Magistrate, in the present case may be justified ~~as a temporary measure~~ in the absence of a more suitable arrangement. He order is accordingly upheld & the appeal dismissed.

20) It is at the same time a question whether, instead of ~~the~~ continuing an arrangement which ~~may~~ ~~thus~~ ~~primarily~~ intended as a temporary measure in the interests of peace & order, may come to be regarded as establishing an inherent order of precedence, it would be preferable to revert to the earlier practice under which only Brahman women seemed to have worshipped near the tank, the women of other communities

NOTE—Contn. sheet.

GPB—70,000—17-12-15

& 2554

i 6

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 77 of 1915-16

Serial No.

17) Subd. The case is to be heard on Monday next. May this be subd. to the 2 hon. Member?

BG. 31/7/16 RK

BG 31/7

Second Member)

4670 31.7.16

18) Parties heard by their Advocates on 1st Aug 1916 - Order reserved

RE

Order.

19) The dispute relates to the order in which the worship of Gowri should be performed on the day of the Gowri feast - at the tank in Brahmin Village. The finding of the District Magistrate on the evidence on the record is that - "near the tank the Brahmans were worshipping first, then the Aravalla Vellal Chettis and then the Lingayats." There is no doubt that this is a correct finding on the facts. Seeing that the practice relied on by the Aravalla Vellal Chettis originated only thirty years ago, it cannot be said that it is sufficient to constitute an im-

NOTE—Contn. sheet

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 77 of 1915-16

Serial No.

Opening puja in the streets as the Gowri ~~procession~~ image came round in procession. The Dt Magte is requested to submit a report on this point after any necessary local enquiry. It may be added that, judging by ~~the~~ representations made before Govt during the hearing of the appeal, the Lingayats would have no objection whatever to ~~such a~~ the course suggested.

18/9/16

Pol 18/9

29 Sept 16

In the meanwhile another reminder petition has been received.

P.T.O

NOTE—Contn. sheet.

GPB—70,000—17-12-15

2343-16

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 77 of 1915-16

Serial No.	
	22) Subd. with two drafts.
	23. 20.8.16 VLL
	23) Done Sd/ D
6	To the D.C. Nellore No. 776 24-8-1916 Called for a report after enquiring in the matter.
7	To the Petitioner Informing that the DC Magistrate's order is upheld and the appeal dismissed.
8	From the DC. Nellore. Report. no. D.Dis. 384- Jud 10-17 Reports that it is preferable to avoid to the old practice of the Brahmin women alone worshipping at the tank
	24) Subd. for orders with a draft. 23. 15-9-17 VLL
	25) Attention is respectfully invited to the Order of this Bale Second Memb. (Mr. K.S. Chandrasekharaiah) at page 6 of this note. The Sub Division officer and the DC are agreeable to the suggestion made by the Member, and the draft is accordance with their views is accordingly submitted for favourable approval. Sd/ J.
	Extraordinary Member

NOTE—Contn. sheet.

GPB—70,000—17-12-15

2343

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 77 of 1915-16.

Serial No.

Draft approved by the Extraordinary member.

19.6.17

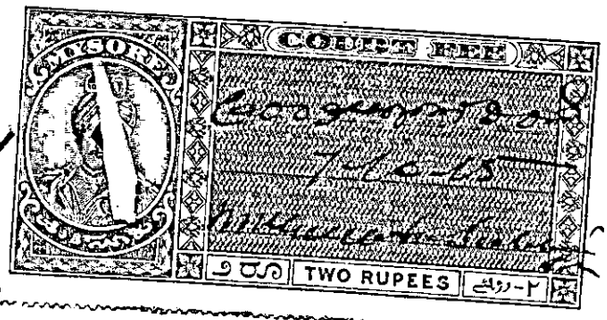
9. To The Dt Magistrate Mysore Dt

J 4837- 22.6.17

Directs that the earlier practice referred to be enforced in future.

NOTE—Contn. sheet.

GPS—70,000—17.12.15



DIARY No. J 1081

19/5/1916
PETITION Police
FILE No. 77-15
SERIAL 1

To

The Hon'ble the Chief Justice and Judges of the Hon'ble the High Court of Judicature at Madras

The humble petition of

Petitioners and appellants
1. Veerasetty
2. Subbasetty
3. Ramasetty
4. Poothanasetty

and other Sivachar class of people residing at Bookankery, Krishnarajpet taluq

opponents & Respondents
1. Sodasetty
2. Subbasetty
3. Ramasetty
4. Muthusetty
5. Narayanasetty son of Vasasetty

and other "Navathokkal Settys" (Goldsmith caste of Hindus) residing at Bookankere Krishnarajpet taluq

The petitioners appellants beg to appeal

to the Government against the executive order passed by the District Magistrate and Deputy Commr. Nuapada District in criminal misc petition no: 18 of 15-16 in the matter of the performance of worship by the appellants and respondents" class of people residing at Boodamkera. Hence this writ petition on the following grounds viz

His story of the case. There is money grant from the Govt to meet the expenses of paraphernalia such as the palanquin, music, cost of officiating priests etc. and for consecrating the Godri by the Brahmin priest near the tank according to the rites and rituals and bringing the Godri in procession in different streets of the town. From time immemorial it was only the Brahmin priests and other Brahmin ladies that used to perform aarati and also worship the Godri near the tank before the diety is taken in procession. During the past 8 or 10 years the ladies

belonging to the appellants and respondents sects viz Sivachars and Adhathuvakkal Settys began to go near the tank and carry on the worship after the Brahmin ladies worshipped. The Sivachar ladies used to perform the worship immediately after the Brahmin ladies and often times simultaneously with the ladies of the respondents class. Two years ago owing to ill-feelings there were differences. Last year the Sivachars did not perform the worship at all and this year also they could not do it because the District Magistrate passed an executive order now appealed against, to the effect that the ladies of the respondents' class should perform worship immediately after the Brahmin ladies near the tank and that afterwards ladies of the appellants' class (Sivachars) should perform the worship. The order is very humiliating

to the Sivamar class people and it is opposed to the evidence adduced in the case to the general principles and in various other ways. Hence the people of the appellants' class appeal to the Court on the following grounds:- and with the undermentioned prayers for redress at an early date:-

1. The learned District Magistrate having admitted in the opening para of his order that the practice for a long time, as admitted by both the parties, was that after the consecration of the Gowri, only the Brahmin ladies used to worship near the tank, that afterwards the deity used to be taken in procession and that it was only latterly that the women of Linga-yat and Havalthanal communities began to worship the Gowri near the tank, before the procession started, has erred in not following it and in giving preference to one class as against the other, as the direction by the District Magistrate is, that the appellants' class should only begin to worship after the worship by the

ladies of the respondents' class is over.

2. While, as the finding above alluded to shows that the worship by both the classes near the tank is of a recent origin, either the worship by both of them should have been dispensed with or if allowed both the class should have been allowed to perform puja simultaneously or at their convenience.

3. Under such circumstances, the direction ought to have been based upon the principle 'first comer first served according to convenience.

4. Even supposing that Sravathokkal Chettiar began worship near the tank a few years earlier, it does not create any right or custom in their favour that others should only perform worship only after former's worship.

5. Any such custom to be recognized it must be ancient, invariable and not opposed to public policy and since the evidence discloses that the alleged worship is of recent origin and since it creates unnecessary humiliation of the rival class

the learned District Magistrate is wrong in giving a direction that the Sivachar class ladies should only worship after the respondents' class ladies worship.

6. The learned District Magistrate could have avoided the humiliation by ordering

(a) that on either side of the alley one class of ladies should sit and worship simultaneously or at their convenience.

(b) that whoever was ready for worship they should have been allowed, in which case the matter would have adjusted itself.

(c) that if it was necessary at all that one class should perform pooja after the other for which there is not the least justification, the learned District Magistrate could have treated both classes at par by giving preference to each class in alternate years.

7. Neither law nor facts justify the order appealed.

8. Being Circar Govt. an order of

the suit is not maintainable.

9. The evidence on the respondents' side shows that only 2 ladies of Hanumasetty's family (Respondents' class) were worshipping near tank and that no other ladies of the respondents' class used to worship near the tank.

10. The learned magistrate's reasons for not believing the appellants' side evidence are not sound and tenable.

11. The learned district magistrate's observation that that the Police men examined on appellants' side are either men dismissed from service or men that resigned for fear of dismissal is not supportable evidence.

12. para 11 of the amildar's order that the contention of the Adivathorkal shelves that all their females used to worship soon after the Brahmins is likewise unsubstantiated and that the evidence of Krishnakas & the witness for respondents' shows that only two ladies of Adivathorkal

chettiers who had connection with
unpaid relations were the only
2 ladies that worshipped and that
latterly others of the respondents' class
began to follow the example, is quite
conclusive that worship near the
tank by the appellants and respon-
-dents class ladies is of quite a recent
origin.

13. There is plenty of evidence on
record to show that as found
by the amildar magistrate both
side ladies used to worship simul-
taneously and in harmony.

14. The evidence on respondents side,
is interested and discrepant.

For these and other reasons the
appellants pray

(a) that the executive order of the
District magistrate be set aside
and thus remove the humiliation to
which the petitioners' class is subjected.

(b) that the petitioners appellants' class
ladies may be permitted to perform
worship near tank immediately after
the respondents

(c) that such other relief as the

Govt thinks fit to grant may be given.

Note - The matter is one that affects a class of people ie Sivallars and puts them to humiliation and that too in the matter concerning a great national festive and religious occasion.

A. Ramamurthy
Advocate
Petitioner
6.10.15

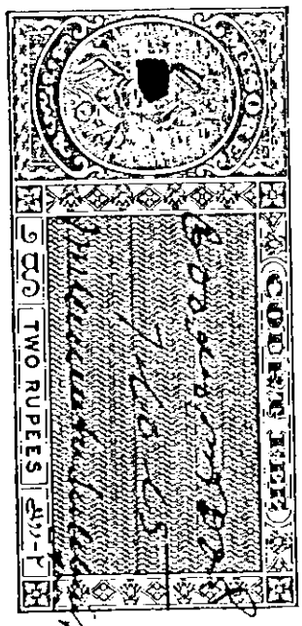
The appellants to pray that they and their ~~Counsel~~ lawyer may be heard by the Govt and Orders passed.

ಮೊದಲನೆಯ ಪ್ರಶ್ನೆ
ಕಟ್ಟಳೆಗಳು ಯಾವುವು
ಸಿಂಧುತ್ವಕ್ಕೆ ಅಂಶಗಳು
ಚರ್ಚೆಯಲ್ಲಿರುವ ವಿಷಯ
ಅಪ್ಪನ ಬಗ್ಗೆ ಮಗಳ ಅಭಿಪ್ರಾಯ
ನಿಷ್ಪಕ್ಷಪಾತ ವಿಚಾರಣೆಯ ಅಭಾವ
ಬುಕ್ಕರಾಯನ ಮಗಳು ಅಂಬಿಕೆಯ ಮದುವೆಯ ಬಗ್ಗೆ ಅಭಿಪ್ರಾಯ

ನ್ಯಾಯಾಧೀಶರ ತೀರ್ಪು

(2) ಯಾವ ಅಂಶಗಳಿಂದ ಅಂಬಿಕೆಯ ವಿವಾಹವು ಅಸಿಂಧುವಾಗಿದೆ

ವಿವರಣೆಗಳು —
ಸಿಂಧುತ್ವದ ಅಂಶಗಳು —
ಸಿಂಧುತ್ವಕ್ಕೆ ಅಂಶಗಳು



Before the Court of Mysore

In the Court of the

OF

CASE NO. OF 19 15 19 16

Pltfs (Petitioners) jointly & severally	VS	Defts (Respondents) severally & jointly

1 We the Pltfs above named do, by these presents retain Mr. A. RAMANNA Advocate, Mysore to appear for and conduct the above case on our behalf to Judgment.

2. We further empower him to execute any decree, or order that may be passed in our behalf, and to receive, from court such sums of money as we may be entitled to get and to grant receipts therefore.

3. We also undertake to confirm and ratify all the legal acts done by the said Counsel in so doing.

Dated 5th October 1915.
Accepted

Signed before me and personally known to me

The above Srinivasa Rao

Bukkinkere

M. Rama Rao

Bukkinkere
K. Pet Taluk

Kohinur Press, Mysore.—16—2—1914.

File no. 77-15
Sl. no. 2 -

25/10

Memo No. 91577
encls 3.

The accompanying petition
registered no. J 1081 dated
the 6th October 1915 from
Veerasetti & other ryots of
Bodkandam in the
Krishnarajapeta Tk
appealing against the order
of the Dt. Magte., Mysore Dt.,
regarding the erection of
Gorri is forwarded, together
with its enclosures, to
the Dt. Magte., Mysore Dt.,
for report with the connected
records.

By Order
for Secretary to Govt.
Ex. Dept.

* to be returned
with the reply.

Date of issue. 30. 10. 1915.
Signature of Mr. G. Sreenivasaiya

BS.
21.10.15.

25/10 2nd

No. Office of the District Magistrate, Mysore District.

Dated, Mysore, 13th December 1915

From

A.Subramanya Iyer, Esquire., B.A.,

District Magistrate, Mysore District.

To

D.M.Narasinga Rao, Esquire., B.A.,B.L.,

Secretary to the Government of His

Highness the Maharaja of Mysore,

General Department, Bangalore.

DIARY No. J. 1681
19/12/1916
SECTION Police
FILE No. 77-15

Sir,

With reference to your No.J.1577/Police 77-12-2 dated 30th October 1915 calling for a report with the connected records in the matter of the worship of Gowri by the Lingayat and Aravattu Vakkalu Setties of Bukinkere village in the Krishnarajpet Taluk, I have the honor to forward herewith entire records as per pherist connected with the case and to state that the facts are set forth in detail in the order in Criminal Mis.Petition No.18 of 1915-16 on the file of the Court. Briefly stated they are as -- follow:-

On Gowri feast day , the Brahmin Purohit consecrates the Gowri near the tank and the Brahmin ladies worship the diety near the tank. The Lngayats and the Aravattu Vakkalu Setties each claim that their women have a right of worhsipping the Gowri near the tank after the Brahmin ladies worshipping the same.

Necessary arrangements for preventing disturbance of the Public peace were made by the Taluk Magistrate in the years 14-15 and 1915-16 who opined after enquiry that as per mamul the Aravattu Vakkalu setties should have the right of priority and submitted the records to the District Magistrate for orders. After looking into the evidence adduced by each party, and hearing their Advocates the order under appeal was passed.

11
16/12 Idem 16/12 F 16/12 273

GPB—12,000—8-7-15

1915-16

From The District Magistrate
Mysore District

To The Secretary to Govt.
General Department

Dated

Despatched 14th December 15

Received

General No. 404
No.

Enclosure No. 2 files

Submitting the records in the matter of worshipping the Gowri by Lingayat and Aravalla Vakkaliga Sheries of Bukkialore Village in the Krishnarajapet Taluq

The enclosures to your communication are returned herewith as requested.

I have the honor to be,

Sir,

Your most obedient Servant,

District Magistrate,

Mysore District.

DIARY No J 2554

To

The Secretary to the Government of
His Highness the Maharajah of Mysore
Bangalore.

Petitioners - 1. Veera Setty . 2 Subba Setty .
3. Soma Setty 4. Puttamma Setty
and Other Sivachars, of
Bookanakere, Krishnarajpet Tq. Mysore Dt.

Counter petitioners. - 1. Soora Setty . 2. Subba Setty
3. Rama Setty . 4 . Hutcha Setty
5. Narayana Setty & Other Sha-
-vathikakkal Setty, residing at
Bookanakere, Krishnarajpet Tq. Mysore Dt.

The petitioners beg to state as follows:-

1. There is money-Grant from the Government
to meet the expenses of paraphernalia such as
the palanquin, music, officiating priest &c
Connected with the worship of the Goddess
Gouri, every year. ~~From~~

~~2. From time immemorial, officiating~~
the Brahmin ~~Brahmin~~ priest and other
Brahmin Cadis that used to perform the
worship of the Gouri near the tank before
the Deity is taken in procession in the
streets of the village of Bookanakere Village,
Krishnarajpet Tq, Mysore District.

3. During the last 8 or 10 years, the

belonging to the petitioners' and Opponents' Seets viz Sivachar and Aravathukkal Seets, began to worship the Tank alone; before the pro-cession began; After the worship by the Brahmin Ladies was over. The Sivachar Ladies used to worship immediately after the Brahmin Ladies and Gentlemen simultaneously with the Ladies of the Opponents' class.

4 Since two years or more, there exist-Differences between the petitioners' Class and Opponents' Class, owing to ill--feelings And as the Opponents' class would not allow worship by the petitioners' Class simultaneously with them, as usual, the people of the petitioners' Seet could not perform the worship during the year 1913.

5. During the year 1914, the Amildar of Krishnarajpet Taluk passed an order, directing that the people of the Opponents' Seet should have priority in the matter of worship over the people of the petitioners' Seet. As such the petitioners' Seet could not perform the worship. And during the year 1915, the District Magistrate and Deputy Commissioner, Mysore District passed a similar order and Consequently the petitioners' Class had no worship even last--.

Three-pie—Petition Paper.

6. Against this order of the District Magistrate of Mysore District, the petitioners appealed to the Government and sent the appeal petition on 7-10-1915 by registered post. The same was received by the Office of the Secretary to Government on 11-10-1915 as is evidenced by the Acknowledgment receipt.

7. It is now more than 5 months since the appeal was presented and this years Dasara festival is fast approaching.

8. The petitioners pray that their advocate may be heard in their behalf and an order passed at an early date so that the petitioners may be allowed the worship at least this year.

18.3.16

Being a reminder no Stamps have been paid

Three-pie—Petition Paper.

6. Against this order of the District Magistrate of Mysore District, the petitioners appealed to the Government and sent the appeal petition on 7-10-1915 by registered post. The same was received by the Office of the Secretary to Government on 11-10-1915 as is evidenced by the Acknowledgment receipt.

7. It is now more than 5 months since the appeal was presented and this year's Gowri-festival is fast approaching.

8. The petitioners pray that their advocate may be heard in their behalf and an order passed at an early date so that the petitioners may be allowed the worship at least this year.

18-3-16

Being a reminder. No Stamp has been paid

G. R. S. 26]

File No. 17-15

Serial No. 4

Diary No. 291 of letter replied to

† Thro' Mr A Ramaswami Advocate, Negpm.

No. J 3/69.

General and Revenue Secretariat

( )

, the 191 .

To

Date of issue 29/7/16

Signed by M. G. Srinivasa Iyer.

The undersigned is directed to inform Veeraselli & Alias Sivachari of Bookanakere in the Kishnarajpet Taluk that the case relating to the local Gowri procession will be heard by the Second Member of Council at the Public Offices Buildings, Cubbon Park, Bangalore, on at 3 p.m. on the 7th August 1916.

By Order,

Rs 2-8-0 over.

~~For Supply to Govt.~~

G. C. Supl.

SUBJECT.

BG.
28.7.16

G. R. S. 26]

File No. 77-15
Serial No. 5

Diary No. of letter replied to — —

No. 1370

General and Revenue Secretariat
(-)
, *the* 191 .

To

— — — — — — — —

Date of issue 29/7/16

Signed by Mr G. Srinivasa Iyer

The undersigned is directed to inform Basavalli and other Aravalli Vokkaluru Sethis of Bookanakere in the Krishnarajpet Tk. that the case relating to the local Gowri procession will be heard by the Second Member of Council at the Public Offices Buildings, Cubbon Park, Bangalore, at 3 p.m. on the 7th August 1916.

By Order
for Secy. to Govt.
G. Dept.

SUBJECT.
85.
28.7.16.
DL

85/29/17

No P.S. Vamps affixed

DEWAN'S OFFICE.
Date of Receipt 18-8-16
Petn. Regr. No 9572

To

Sir. M. Visweswariah. Esq.
Dewan of Mysore.

J 428

Petitioners.— 1. Veera Setti
2. Subba Setti
3. Puttanna Setti, and
Other Sivachar people,
residing at Bookanakere
Krishnarajpet Taluk.

Opponents.— 1. Sura Setti.
2. Subbia Setti
3. Rama Setti.
4. Hutcha Setti
5. Narayan Setti and Other
Aravath Vakkal Setties
residing in Bookanakere
Krishnarajpet Tq.

The petitioners beg to state as follows:-

1. The petitioners belong to Sivachar class and are residents of Bookanakere. The Opponents belong to Aravath-Vakkal Setti Class.

2. The District Magistrate of Mysore on 8-9-15 passed an order That on the

Gouri-festival day, the ladies of the people belonging to petitioners' class showed worship Goddess Gouri near the tank only after the ladies of the class of the Opponents worship. This order is not only very humiliating to the petitioners' class but also opposed to Public policy, law and evidence.

3. Against this executive order, the petitioners appealed to Govt. and sent their appeal petition by registered post through their lawyer Mr. A. Ramanna, advocate, on 7. 10. 1915.

4. A reminder was again sent that since the Gouri feast was fast approaching, the matter may be disposed of. This was on 18. 3. 1916.

5. The next Gouri-feast will come off on 31st August 1916. The Appeal in question will have to be disposed of after hearing the petitioners' advocate at any time before the 31st August 1916; for. Otherwise, the ladies of the petitioners' class will have no Gouri worship this year also. And the Object of the Appeal would be frustrated.

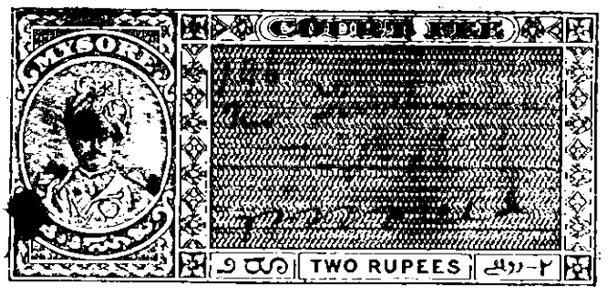
Hence the petitioners humbly approach your Honour with a prayer that the matter may be disposed of, on a date being fixed and after hearing the advocate for the petitioners, at an early period i.e. some day this month.

6. The people of both Classes- that of the petitioners and that of the Opponents-

offer their worship through the Brahmins and as such, one class of people may sit on one side of the Sanni and the other class on the other side, to offer their worship, or the various persons of each class may be allowed to come and offer their worship as and when they come. In fact the petitioners submit there are various modes of avoiding this heart-burn of precedence of class over class in the matter of worship, and the petitioners pray that the executive order of the Deputy Commissioner may be kindly set aside and relief afforded.

13.7.1916.

[illegible]



"Mungaru"

M.C.C.
&
7.8.16

[illegible]

191 —191 ನೇ ಇಸವಿ ನಂಬರು.

ವಾದಿ

[illegible]

ಪ್ರತಿವಾದಿ

[illegible] Vs

ಮಾನ್ಯ ರಾವ್ ಬಹದ್ದೂರ್, ಸಿ. ಕೃಷ್ಣಮೂರ್ತಿಯವರಿಗೆ.

[illegible] ಒಕ್ಕಲಿಗರು ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮೆ.

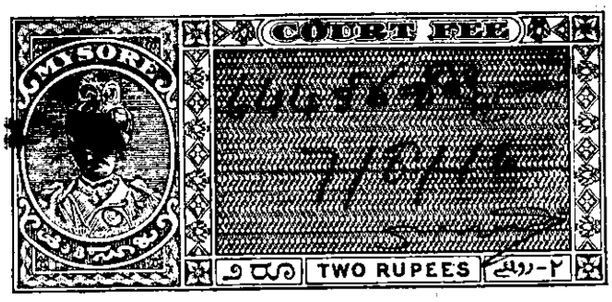
ಮೇಲ್ಕಂಡ ನಂಬರ್ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಕೋರ್ಟ್‌ಗೆ ಹಾಜರಾಗಿ ವಿವಾದಿಸಿ ಫೈಸಲ್ ಪೊಂದತಕ್ಕದ್ದಾಗ್ಯೂ, ಈ ಮೊಕದ್ದಮೆಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿಶಿಷ್ಟ ನಡವಳಿಕೆಗಳ ವಿಷಯದಲ್ಲೂ ಅರ್ಜಿ ವಗೈರೆ ಕೊಡುವುದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕ್ರೀ ಮೊಬಲಗು, ಖರ್ಚು ಮೊಬಲಗು ಸಹ ಪಡೆದು ಕೊಂಡು ರಸೀದಿ ಕೊಡುವುದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ನನಿಗಾಗಿ ವಾಪಸು ಆಗುವ ದಾವಾ ಸ್ಟ್ಯಾಂಪ್ಸ ಪ್ರೊಸೆಸ್ ಸ್ಟ್ಯಾಂಪ್ಸು ಸಹ ಪಡೆದುಕೊಳ್ಳುವದಕ್ಕೂ, ಮತ್ತು ನನ್ನ ಬಾಬತು ವಿಶಿಷ್ಟ ದಸ್ತೈವೇಜು ವಗೈರೆಗಳನ್ನು ಕೋರ್ಟಿನಿಂದ ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೂ ಸಹ, ಈ ಮೂಲಕ ತಮಿಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿರುತ್ತೇನೆ. ಈ ವಿಷಯವಲ್ಲಿ ತಾವು ನಡಿಸುವ ಕೆಲಸಗಳನ್ನೆಲ್ಲಾ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿಯಿರುವಂತೆ ಖುಷಿಯಲೂ ಇದರಿಂದ ಬದ್ಧನಾಗಿ ಇರ್ಪೇನೆ.

ತಾರೀಖು 7-8-16. ರಾಜು [illegible]

ಈ ವಕಾಲತ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಸ್ಥರಾಗಿ ನನ್ನ ನಮಸ್ಕಾರ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿರುವದರಿಂದ ನಾನು ಸರ್ಟಿಫೈ ಮಾಡಿ ಇರ್ಪೇನೆ.

ಈ ವಕಾಲತ್‌ನಾಮೆ ಅಂಗೀಕರಿಸಿ ಇರ್ಪೇನೆ.

ಟರ್ಫ್ ಪ್ರೆಸ್ ಬೆಂಗಳೂರು ಸೆಟ್ 1916



In the Court of the Commissioners to the Govt. of Mysore

Petitioners CASE NO. OF 19 19 appellants

Puttamma Settiyara Setti & others

VS

Lura Setti & others

1 We the appellants above named do, by these presents retain Mr. A. RAMANNA Advocate & Mr. Aleettira Ramaiah Advocate to appear for and conduct the above case on our behalf to Judgment.

2. We further empower him to execute any decree, or order that may be passed in our behalf, and to receive, from court such sums of money as we may be entitled to get and to grant receipts therefore.

3. We also undertake to confirm and ratify all the legal acts done by the said Advocate in so doing.

Dated 6-8- *1916.*

Accepted

A Seetharama Rao

Signed before me and personally known to me

A Seetharama Rao

Kohinur Press, Mysore.—16—2—1914.

G.R.S. 28]

Police
File No. 77-15
Serial No. 6

*Diary No. of letter replied to*_____

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

the 191 .
d. no. 1

READ—

Petition dated the 6th October 1915 from Veerasetti and other Sivachara people of Bookankere in the Krishna- rajpet Tk., appealing against the order of the D.C. Incharge of the Myssore Dt.

ORDER THEREON.—No.

permitting the Aravalli Vokkaligas of the place to perform Soori puja at the tank before the Linganahalli

over

Date of issue 24·8·1916.

Signed by Anv. G. Sreenivasa Iyengar

SUBJECT.

2. Letter no. 404 dated the 13th ___
December 1915 from the Dt. Magte.,
Mysore Dt. submitting a Report
in the matter together with the
records of the case.

Order no. J 776 & 24.8.1916.

The dispute relates to the order
in which the worship of Ganesh should
be performed on the day of the Ganesh
feast at the tank in Bukanakere
village. The finding of the Dt. Magte.
on the evidence in the case is that
"near the tank the Brahmins were
worshipping first, then the Aravalli
Vokkaliga Settis and then the Linjayats."
There is no doubt that this is a
correct finding on the facts. Seeing
however that the practice relied
on by the Aravalli Vokkaliga
Settis originated only some 30
years ago, it cannot be said that
it is sufficient to constitute
an immemorial custom in their
favour which can operate to give

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

them an indefeasible right to
proceed as a community
over the Lingayats. But as long
as people cannot agree to perform
peacefully acts which they
would otherwise be entitled to
perform simultaneously, some
arrangement must be made
to prevent a conflict; and on
this ground the order of the Dt.
Magte. in the present case
may be justified in the absence
of a more suitable arrangement.
The order is accordingly upheld
and the appeal dismissed.

Whilst the same time
a question arises whether, instead of
continuing an arrangement
which, though primarily intended
as a temporary measure of
expediency in the interests of peace
and order, may come to be
regarded as establishing an

without order of procedure,
it would not be preferable to
resort to and enforce the earliest
practice under which only Brahmins
would seem to have worshipped
near the tank, the worship of other
communities offering puja in
the shrine as the Govt. image
came round in procession. The
Dt. Magte. is requested to submit
a report on this point after any
necessary local enquiry. It may
be added that, judging by the
representations made before Govt.
during the hearing of the appeal
the Lingayats would have no objection
whatever to the course suggested.

Sd/ 15
for Secy to Govt.
Jt. Secy.

To

The Dist. Magte. Tanjore Dt. returning
the records. Encl. one file

BA.
20-8-16.
Rdr.

QCB—20,000—15-2-16

G. R. S. 26]

Police
File No. 77-15
Serial No. 7

Diary No. of letter replied to .....

(Thro' Mr. A. Ramanna, Advocate Jaffna.)

No. 9777 Govts. 2

General and Revenue Secretariat
( )
, *the* 191 .

~~To~~

Endorsement

Date of issue 24:8:1916.

Signed by Mr. Q. Sreenivasa Iyer

Endorsement granted to Veraselli & others Sivachars of the Bookanhen village in the Kriskna vajpeta Dk. in reply to their petitions appealing against the order of the Dt. Magte., Jaffna Dt., Regarding the worship of Gowri at the tank on the Gowri feast day.

The petitioners are informed that the Dt. Magte's. order is upheld and the appeal dismissed.

over.

SUBJECT.

the question of referring to the old practice of only the Brahmins worshipping near the tank, and the other sects offering puja [illegible] in the streets

image ~~Ogre~~ round in procession.

2. Copies of news received with this petition 8/6.10.15 are returned herewith.

By Order

For Secy. to Govt.,
E. W. C/pk.

B.S.
20-8-16.

List of enclosures

Copied by

Examined by

GPB—20,000—10-10-14

D.Dis IC 384 OFFICE OF THE DEPUTY COMMISSIONER, MYSORE DISTRICT,

Dated Mysore, the 24th April 1917.

J 2343
16-5-17
Police
77-15
8

From

K. Matthan, Esquire, B.A.,

Deputy Commissioner,

Mysore District.

To

D.M.Narasinga Rao, Esquire, B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, General Department,

B a n g a l o r e.

Sir,

Adverting to Government Proceedings No. J. 776-Police 77-15-4 dated 24th August 1916 upholding the orders of this office directing that Brahmin women should first worship the Gauri at the tank at Bookankere village, (Krishnarajapet Taluk), then the Aravattu Vakkalu Settis and then the Lingayats and enquiring whether it would not be preferable to revert to the old practice of allowing only Bramnin women to worship the Gauri at the tank and the others doing it, when the Gauri is taken on procession in the streets, I have the honour to submit herewith a copy of letter No. 13, dated 18th April 1917 from the Sub Division Magistrate, French Rocks stating that his attempt to bring about an amicable settlement between the two contending parties viz., the Lingayats and the Arvattu Vokkalu Settis proved futile and that it is preferable to revert to the old ~~old~~ practice of the Bramhin Women alone worshipping at the tank instead of giving precedency to any of the contending parties.

2. I agree with the Sub Division Officer. The connected records are resubmitted for reference and obliging return.

I have the honour to be,

Sir,

Your most obedient servant,

DEPUTY COMMISSIONER,

MYSORE DISTRICT.

GPB—50,000—30-7-15

19 27 APR 1917

From

The Deputy Commissioner,

Mysore District.

To

The Secretary to the Government
of Mysore, General Department,
B a n g a l o r e.

Dated The 24th April 1917.

Despatched

Received

General No. D. Dis no 386
No. Judl Tour

Enclosure No. Nil + Copy
Lr. from Asst. C.D.O's Rep.

Re: Gauri pooja at the Tank, in Bukankere, Krishnarajapet Taluk.

****

Opines that the old practice of allowing only the Brahmin women to do the service at the Tank.

Police
GEN. & REV. SECRETARIAT
III
JUDICIAL
27 APR 1917

Letter No. 13, dated 18th April 1917 from the Sub Divisional Magistrate, French Rocks, to the District Magistrate, Mysore.

****

"With reference to your docket No. 421 of 16-17/Judicial, dated 25th September 1916 and subsequent reminders in the matter of permission, given to the Aravathu Vokkalu Settis of Bookinakere in Krishnarajpet Taluk to perform Gowri Pooja at the tank on the Gowri Festival Day, I have the honour to report that when I recently camped at Bookinakere for two days, I had an opportunity of meeting together the leaders of Aravathu Vokkal Settis, Lingayats and other communities, residing in the village, and ascertaining the mamool regarding the Gowri Pooja.

2. There does not appear to be any doubt that the Aravathu Vokkalu Settis women have not been from time immemorial performing Gowri Pooja at the tank. The Lingayat women began to perform Gowri Pooja at the tank some years after the Aravathu Vokkalu Setti women began to perform the Pooja there. Both communities are influential in the village. The Lingayats do not, however, appear to be very keen about performing Gowri Pooja at the tank. But they will not agree to the Aravathu Vokkalu community being allowed any precedence in the matter of Gowri Pooja at the tank. There is no likelihood of the Aravathu Vokkalu Settis agreeing to perform the Pooja simultaneously with the Lingayats.

3. An attempt was seriously made to bring about an amicable settlement between the two parties. It did not succeed.

4. Under the foregoing circumstances, I am of opinion that a reversion to the original custom, under which Brahmin women alone worshipped Gowri at the tank is preferable to giving any undue precedence to Aravathu Vokkalu Settis, over the Lingayats, and that the original custom may accordingly be enforced.

5. The record received with the docket under reply is herewith submitted.

****

" C O P Y "

for DEPUTY COMMISSIONER, MYSORE DISTRICT.

GEN. & REV. SECRETARIAT.
G.R.S. 28 Sec.
TYPING
20 JUN 1917

Bookanakere Gowri puja case

Police
File No. 77-15
Serial No. 9

*Diary No. of letter replied to*_____

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

, *the* 191

READ—

Para 2 of G.O.No. J.776-Police 77-15-6 dated the 24th August 1916 calling for a report as to whether it would not be preferable to revert to

Date of issue 22/6/17

Signed by M. G. Srinivasan

May this be

i printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the Press?

vi published in the Gazette Kannada part?

~~ORDER THEREON. No.~~

~~to old practice~~ and enforce the earlier practice under which only Brahmin women (of Bookanakere) Gowriah in Bookanakere worshipped the Linga & the women of other communities offering puja in the shrine as the Gowri image came round in procession

over.

SUBJECT.

GPB—50,000—1-12-12

2. Letter no. D.Dis 384 - Judl 10-17 dated the 24th April 1917 from the DC. Mafi. Imphal DC. stating that it is preferable to revert to the old practice and submitting the connected records.

– Order No. J 4837.

Govt. are pleased to direct that that the earlier practice referred to be enforced in future.

[signature] 15/5

For Secy. to Govt.
Gl. Dept.

[signature]
19.6.17.

To The DC. Mafi. Imphal DC. returning the records. (Sent)

84.
15.5.17. [initials]